

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
UTILITIES BOARD

<p>IN RE:</p> <p>FIBERCOMM, L.C., FOREST CITY TELECOM, INC., HEART OF IOWA COMMUNICATIONS, INC., INDEPENDENT NETWORKS, L.C., AND LOST NATION-ELWOOD TELEPHONE COMPANY,</p> <p style="text-align:right">Complainants,</p> <p style="text-align:center">vs.</p> <p>AT&amp;T COMMUNICATIONS OF THE MIDWEST, INC.,</p> <p style="text-align:right">Respondent.</p>	<p style="text-align:right">DOCKET NO. FCU-00-3</p>
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**ORDER GRANTING INTERVENTIONS AND  
SETTING PROCEDURAL SCHEDULE**

(Issued November 21, 2000)

On August 16, 2000, FiberComm, L.C. (FiberComm), Forest City Telecom, Inc. (FCTI), Heart of Iowa Communications, Inc. (Heart of Iowa), Independent Networks, L.C. (IN), and Lost Nation-Elwood Telephone Company (Lost Nation) jointly filed a complaint against AT&T Communications of the Midwest, Inc. (AT&T). The complainants requested Utilities Board (Board) action "prohibiting AT&T from withdrawing its interexchange services from the customers of complainants and other similarly situated competitive local exchange carriers (CLECs) serving various portions of rural Iowa." The Board determined that formal complaint proceedings

should be initiated and identified Docket No. FCU-00-3 for that purpose. An answer was filed by AT&T on September 25, 2000.

The Board ordered that a meeting between the complainants, AT&T, and the Consumer Advocate Division of the Department of Justice (Consumer Advocate) be convened. The meeting, which was intended to clarify the facts and resolve differences, was facilitated by the Board's staff. The meeting was held October 10, 2000. In addition to the complainants, AT&T, and Consumer Advocate, other persons who had filed motions for intervention attended the informal meeting.

No resolution of the issues was reached by the participants in the informal meeting. An agreement was reached concerning a procedural schedule which the Board will order.

Petitions to intervene have been filed by Goldfield Access Network, L.C., Coon Rapids Municipal Utilities, Laurens Municipal Broadband Communications Utility, and the Iowa Association of Municipal Utilities. No objections to any of the requests for intervention have been filed.

**IT IS THEREFORE ORDERED:**

1. The petitions to intervene filed by Goldfield Access Network, L.C., Coon Rapids Municipal Utilities, Laurens Municipal Broadband Communications Utility, and the Iowa Association of Municipal Utilities are granted.

2. The following procedural schedule is established for this proceeding:

a. FiberComm, L.C., Forest City Telecom, Inc., Heart of Iowa Communications, Inc., Independent Networks, L.C., Lost Nation-Elwood Telephone Company, and any intervenors shall file any prepared direct

testimony, with supporting exhibits and workpapers, on or before December 1, 2000.

b. AT&T Communications of the Midwest, Inc., shall file any rebuttal testimony, with supporting exhibits and workpapers, on or before December 20, 2000.

c. FiberComm, L.C., Forest City Telecom, Inc., Heart of Iowa Communications, Inc., Independent Networks, L.C., Lost Nation-Elwood Telephone Company, and any intervenors shall file any responsive testimony, with supporting exhibits and workpapers, on or before January 17, 2001.

d. A hearing for the purpose of receiving testimony and cross-examination of all testimony will commence at 10 a.m. on January 30, 2001, and continuing to January 31, 2001, as necessary, in the Board's hearing room at 350 East Maple Street, Des Moines, Iowa. Parties shall appear at the hearing one-half hour prior to the time of hearing to mark exhibits. Persons with disabilities requiring assistive services or devices to observe or participate should contact the Board at 515-281-5256 to request that appropriate arrangements be made.

3. In the absence of objection, all workpapers shall become a part of the evidentiary record at the time the related testimony and exhibits are entered in the record.

4. In the absence of objection, all data requests and responses referred to in oral testimony or cross-examination, which have not previously been filed with

the Board, shall become a part of the evidentiary record. The party making reference to the data request or response shall file an original and six copies at the earliest possible time.

5. In the absence of objection, if the Board calls for further evidence on any issue and that evidence is filed after the close of hearing, the evidentiary record shall be reopened and the evidence will become a part of the evidentiary record five days after filing. All evidence filed pursuant to this paragraph shall be filed no later than seven days after the close of hearing.

**UTILITIES BOARD**

/s/ Allan T. Thoms

ATTEST:

/s/ Raymond K. Vawter, Jr.  
Executive Secretary

/s/ Diane Munns

Dated at Des Moines, Iowa, this 21<sup>st</sup> day of November, 2000.